

FINAL OMB SUPPORTING STATEMENT FOR
NRC FORMS 541 AND 541A
UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST
CONTAINER AND WASTE DESCRIPTION AND CONTINUATION PAGE

(3150-0166)

EXTENSION

Description of the Information Collection

U.S. Nuclear Regulatory Commission (NRC) Form 541 and continuation Form 541A were developed by NRC in collaboration with the Department of Transportation (DOT). The completed NRC Form 541 contains container and waste description. NRC has authorized use of electronic facsimiles of the forms generated by commercially available computer software and the forms can be transmitted electronically if an agreement has been reached between the appropriate parties.

NRC Forms 541 and 541A are completed by specified shippers of low-level radioactive waste intended for ultimate disposal at a licensed land disposal facility. The disposal facilities and associated agreement states, if applicable, use the information found on the forms to ensure safe burial of the waste for the protection of the public and environment. The NRC does not collect or retain data on the forms and the forms are not sent to or received by the NRC.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

To meet existing regulations, each shipment of Low Level Waste (LLW), either directly or indirectly, to a licensed disposal facility is currently accompanied by a manifest that describes the shipment contents as required in 10 CFR Part 20 and the DOT regulations in 49 CFR Part 172. Presently, there are four LLW disposal facilities in operation. The detailed information requested on NRC Form 541 will enhance the ability of NRC and State regulatory agencies to control and safely regulate disposal of LLW. Licensees must use specified NRC forms, including NRC Form 541, pursuant to Appendix G to 10 CFR Part 20.

2. Agency Use of Information

The agency and States require the information on NRC Forms 541 and 541A to control and safely regulate disposal of LLW.

3. Reduction of Burden through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. The NRC issued a regulation on October 10, 2003 (68 FR 58791), consistent with the Government Paperwork Elimination Act, which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, or

other means. It is estimated that approximately 90 percent of the potential responses are filed electronically.

There are no legal obstacles to the use of information technology. The NRC has structured the forms so that LLW generators may transmit the information electronically to either waste brokers or the LLW disposal site facility on a voluntary basis for their convenience. Several software packages (e.g. RADMAN and LowTrack) are available that can generate NRC Forms 541 and 541A electronically. The information is not transmitted to the NRC.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements. The NRC has in place an on-going program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

5. Effort to Reduce Small Business Burden

The required information is necessary from all shippers of LLW. To the extent that small entities may make fewer waste shipments than larger entities, fewer manifests would be required of small entities and their burden would be proportionately less.

6. Consequences to Federal Program or Policy Activities if the Collection is Not Conducted or is Conducted Less Frequently

If the collection is not conducted at all or is conducted less frequently, NRC and State regulatory agencies will not be able to obtain information needed to control and safely regulate disposal of LLW.

7. Circumstances Which Justify Variation from OMB Guidelines

There are no variations from OMB guidelines.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on June 22, 2016 (81 FRN 40727). As part of the public consultation process, the NRC emailed four potential respondents from the LLW distribution list in order to request feedback on the four questions for which comments were specifically requested. These individuals were: Mike Elsen (State of Washington), Susan Jenkins (State of South Carolina), Rusty Lundberg (State of Utah), and Jennifer Opila (Colorado Department of Public Health and Environment and current Chair of the Conference of Radiation Control Program Directors, Inc.'s (CRCPD's) E-5 committee on waste management). No comments were received in response to these requests.

One comment was received from Michael M. Plemmons, South Carolina Department of Health & Environmental Control (SCDHEC), as stated below.

The radionuclides are typically listed on each respective manifest in alphabetical order [. However], the instructions do not require [this]. Please consider revising the instructions so that the radionuclides be put in an order that is relative to risk. A risk informed approach to the listing of radioactive constituents on each respective manifest should be considered. For example - If the low-level radioactive waste shipment contains mixed radionuclides[,] the first 90% of the individual radionuclides should be listed in descending order based on specific activity. Shipments containing multiple packages of individual radionuclides should be listed to factor [in] both safety and security considerations.

The NRC response is that the considerations described in the comment will be addressed in the project for updating NUREG/BR-0204 and revising the Uniform Waste Manifest forms.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of the Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b). However, no information normally considered confidential or proprietary is requested.

11. Justification for Sensitive Questions

This information collection does not involve sensitive questions.

12. Estimated Burden and Burden Hour Cost

It is estimated that 5,600 NRC Forms 541 will be processed annually by 220 NRC and Agreement States licensees. It is assumed all shippers prepare the manifests electronically; therefore, the average burden to gather the information and record it on the form is estimated at 3.3 hours. The total industry burden for completing the form is estimated at 18,480 hours annually (5,600 forms x 3.3 hours). The total industry cost to complete the forms is \$2,477,440 [\$1,951,040 for professional personnel (5,600 forms x 1.3 hours to gather information x \$268/hour) and \$526,400 for administrative personnel (5,600 forms x 2 hours to electronically complete the manifests x \$47/hour)].

13. Estimate of Other Additional Costs

There are no other additional costs.

14. Estimated Annualized Cost to the Federal Government

The estimated annual cost to the Federal Government will be approximately \$7,000 for manifest printing and distribution. This cost will be fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Parts 170 and/or 171. The forms are not submitted to the NRC.

15. Reasons for Changes in Burden or Cost

There is no change in burden, but the hourly cost for professional staff has decreased from \$274/hour to \$268/hour resulting in a reduction in total cost of \$43,680.

16. Publication for Statistical Use

None.

17. Reason for Not Displaying the Expiration Date

The expiration date will be displayed on the hard copy form. However, the electronic version of NRC Form 541, provided in software developed and distributed by the DOE to allow licensees to transmit NRC Form 541 electronically, will not display an expiration date because it would not be possible to revise the expiration date after the diskettes have been distributed to licensees.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of information does not employ statistical methods.